

From: [Neal, John](#)
To: [Moore, Gary](#)
Subject: Re: subcontractors
Date: Friday, September 12, 2014 6:00:06 PM

We will see what happens it would cost time and money to get a new one but we didn't kill the guy.. I have a call tomorrow to see where we are at I will let you know..shame we can't be reimbursed for reasonable costs..

Kevin



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On Sep 12, 2014, at 5:55 PM, "Moore, Gary" <Moore.Gary@epa.gov> wrote:

Kevin

You may be correct. If I am not mistaken, the team subs the you have were approved in the contract primarily so the you did not have to get a minimum of 3 bids for each job. They are considered as if they are the prime.

You can use any contractor you want but you may be required to procure them and the rates can't exceed those in the contract.

I don't think we would have time to procure another sub but that is something to think about. Really, Latrice. would need to be involved if this is where you think this is headed.

Thanks

Gary

Sent from my BlackBerry 10 smartphone.

From: Neal, John
Sent: Friday, September 12, 2014 4:14 PM
To: Moore, Gary
Subject: Fwd: subcontractors

Gary the ERRS 6 contract does not prohibit the subcontracting of labor and/or equipment from a third party subcontractor. You are correct in understanding that if a rate for that labor category or

piece of equipment is established in the contract, then that is the most that we can get reimbursed (B3). Also just to point out, if a rate for that labor category or piece of equipment is NOT established in the contract, then we need to request a rate in writing. Below are the applicable excerpts from the contract.

EP-S6-07-02

B.3 FIXED RATES FOR LABOR AND TRAVEL

FIXED RATES FOR LABOR AND TRAVEL

(10) If a labor rate has been established for a labor category set forth in the schedule for the contractor or subcontractor, but the contractor or subcontractor decide to provide that labor category through a third party subcontract, reimbursement for that labor category shall be reimbursed at cost (including any applicable indirect rates), but will not, in any event exceed the rate set forth in this contract for that labor category for the contractor or team subcontractor, depending upon which entity (contractor or team subcontractor) acquires the labor.

B.4 ESTABLISHING FIXED RATES FOR LABOR, EQUIPMENT, AND OTHER ITEMS

If the Contractor provides a labor category for which a fixed rate has not been established, whether or not it is provided from the Contractor's own resources (i.e., their employees), or through a third-party subcontract or short-term lease/rental agreement, the Contractor shall furnish the CO with a written request identifying the item and the proposed rate prior to its utilization.

Regards Kevin



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